

REMARKS

Reconsideration is requested.

Claims 8, 30-33 and 38-40 have been canceled, without prejudice.

Claims 9-10, 13, 14 and 17-29 are pending.

The applicants acknowledge, with appreciation, the allowance of claims 9, 10, 13, 14 and 18-29. See page 1 of Office Action dated February 11, 2002 (Paper No. 26). These claims have been amended, without prejudice, to place the application in condition for allowance.

Return of an initialed copy of the attached PTO 1449 Form is requested, pursuant to MPEP § 609.

Acknowledgment of receipt of the certified copy of the priority document filed September 26, 1996 in the Examiner's next Communication is requested. See, the Remarks of the Response to Office Action mailed December 30, 1997.

The Section 112, first paragraph, rejections of claims 40, 8, 17, 30-33 and 38-39 are moot in view of the above. The pending claims are supported by an enabling disclosure. The claims are adequately described in the present specification.

Claim 17, which is dependent on allowed claim 9, is submitted to also be allowable.

The Section 102 rejection of claim 40, over Herman (U.S. Patent No. 6,184,349) is moot in view of the above. The pending claims are patentable over the cited art.

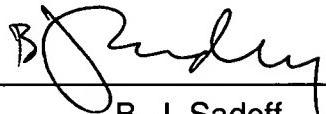
In view of the above and attached, the claims are submitted to be in condition for allowance and a Notice to that effect is requested.

Should the Examiner feel that an interview with the undersigned would facilitate allowance of this application, the Examiner is encouraged to contact the undersigned.

In re Application of:
Serial No. 08/669,656 1631

Respectfully submitted,
NIXON & VANDERHYE P.C.

By:



B. J. Sadoff
Reg. No. 36,663

BJS:bjs
1100 North Glebe Road, 8th Floor
Arlington, VA 22201-4714
Telephone: (703) 816-4000
Facsimile: (703) 816-4100

MARKED-UP COPY OF AMENDED CLAIMS

IN THE CLAIMS:

Amend the claims as follows:

13. (Thrice amended) A vector comprising a nucleic acid sequence of claims 9[,] or 10 [, 18, 19 or 20].

14. (Thrice amended) A host cell transformed or transfected with a nucleic acid sequence of claims 9 or [,] 10 [, 18, 19 or 20].

17. (Twice amended) A method of producing a mammalian sensory neuron sodium channel protein, wherein the sodium channel is insensitive to tetrodotoxin, comprising expressing a nucleic acid sequence of claim [8] 9 in a host cell transformed with said nucleic acid sequence.